

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

UNITED STATES OF AMERICA : CASE NO. 1:02-CR-12-1  
: :  
PLAINTIFF, : JUDGE: DLOTT  
: :  
v. : Defendant, Kevin Hamlett's,  
: Motion to Terminate Probation  
: :  
KEVIN HAMLETT :  
: :  
DEFENDANT. : :

Now comes Defendant, Kevin Hamlett, by and through counsel, and requests that this Court terminates and releases him from his remaining period of probation. In support of his Motion, Kevin Hamlett states:

MEMORANDUM

Mr. Hamlett was placed on supervised release for the instant action (money laundering) for three years in October of 2004 after serving a period of incarceration. Since October 22, 2004 Mr. Hamlett has been supervised by Bill Grajeda who is a United States Probation Officer in Arizona. (Affidavit by Mr. Grajeda attached as Exhibit A). Mr. Hamlett has been on probation for just under two years and is scheduled to be off probation on October 22, 2007. (Id).

While on probation Mr. Hamlett has done the following:

1. Submitted written reports and physically reported to the probation office every month;
2. Submitted around 30 urine tests, the most recent being August 7, 2006. All have been negative;

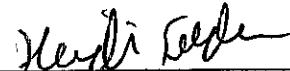
3. Submitted to random home visits and taken breathalyzer tests, all of which were satisfactory;
4. Completed all of his Court ordered community service;
5. Submitted financial paperwork to ensure nothing is going on that might lead to criminal activity; and,
6. Maintained gainful employment at Don Mackey Cadillac, Inc. (Id).

Mr. Hamlett has paid all of his fines, costs, restitution and financial obligations. The printout showing his balance of zero dollars owed from the United States Court Southern District of Ohio Clerk of Courts is attached as Exhibit B. Mr. Hamlett has had no further action with law enforcement and there were no aggravating factors surrounding his involvement in the underlying action. Mr. Hamlett has fully complied with all terms of his probation and has given every indication that he has successfully rehabilitated himself. (See Exhibit A). If Mr. Hamlett's probation is not terminated Mr. Grajeda intends to delete his reporting requirement. (Id).

Mr. Hamlett has worked his way up at Don Mackey Cadillac, Inc. He has been offered the position of Director of Financing. To qualify for that position, Mr. Hamlett must secure a credit insurance producer license. Mr. Grajeda supports Mr. Hamlett's efforts to do this. (Id). Mr. Hamlett cannot receive a credit insurance producer license if he is on active probation.

WHEREFORE, for the above reasons and any others that may appear to the Court, it is respectfully requested that Defendant's motion be granted and an order issued terminating Mr. Hamlett's remaining period of probation and releasing him from probation.

Respectfully Submitted,



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Heidi A. Selden (0066022)  
Attorney for Defendant  
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Cincinnati, Ohio 45202  
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**Certificate of Service**

I hereby certify that on this 1<sup>st</sup> day of September, 2006, I filed the above with the Clerk of Courts.

Respectfully Submitted,



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Heidi A. Selden (0066022)  
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**AFFIDAVIT OF UNITED STATES PROBATION OFFICER BILL GRAJEDA**

STATE OF ARIZONA )  
                      )  
                      )      ss.  
County of Pima     )

BILL GRAJEDA, being first duly sworn, upon his oath deposes and says:

- 1.) That he is a United States Probation Officer and has held that position since October 1999;
- 2.) That he is the probation officer assigned to supervise Kevin Hamlett in connection with United States District Court for the Southern District of Ohio case number CR-1-02-12-1, *United States of America v. Kevin Hamlett*;
- 3.) That he has supervised Kevin Hamlett since October 22, 2004;
- 4.) That Kevin Hamlett was placed on probation for a period of three years, and is scheduled to be off of probation, unless terminated earlier, as of October 21, 2007;
- 5.) That during the approximately 22 months that he has supervised Kevin Hamlett, Mr. Hamlett has submitted written reports every month and has physically reported to the United States Probation Office every month. If Mr. Hamlett's probation is not terminated, he intends to delete the requirement that Mr. Hamlett physically report to the probation office each month because there is no need to do so;
- 6.) That during the time that he has supervised Mr. Hamlett, Mr. Hamlett has submitted approximately 30 urine tests for the presence of illicit substances, the most recent being August 7, 2006, and all of those tests have been negative;
- 7.) That during the time he has supervised Mr. Hamlett, he has conducted random home visits at the residence of Mr. Hamlett and has conducted Breathalyzer tests;
- 8.) All of the home visits have been favorable and all of the Breathalyzer tests have been negative;
- 9.) That as of August 2006 Kevin Hamlett has completed all of his Court ordered community service;
- 10.) That during the course of his supervision of Kevin Hamlett, he has requested that Mr. Hamlett submit financial paperwork to ensure that Mr. Hamlett has not been engaged in any type of criminal activity or in any type of activity that might lead to criminal activity;
- 11.) Mr. Hamlett has submitted all requested financial paperwork, and there has been no

EXHIBIT

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A

indication that Mr. Hamlett is engaged in any criminal activity or that he is engaged in any activity that might lead to criminal activity;

- 12.) That he has been advised that Kevin Hamlett has submitted payment of the remaining balance due towards his fine, but that he has not yet seen physical documentation of the actual payment;
- 13.) That Kevin Hamlett has fully complied with all terms of his probation and has given every indication that he has successfully rehabilitated himself during the term of his probation;
- 14.) That one of the most significant indications of Mr. Hamlett's rehabilitative efforts has been the fact that Mr. Hamlett has maintained gainful employment at Don Mackey Cadillac, Inc. and that he has performed so well with Don Mackey Cadillac Inc. that he has been offered the position of Director of Financing by the owner, Don Mackey;
- 15.) That he is aware that in order for Mr. Hamlett to qualify for the position of Director of Financing, he must secure a credit insurance producer license from the Arizona Department of Insurance, and that he approves of Mr. Hamlett's efforts to do so.

DATED this 18 day of August, 2006.

Bill Grajeda  
Bill Grajeda  
UNITED STATES PROBATION OFFICER

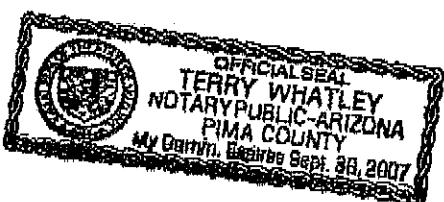
SUBSCRIBED AND SWORN to before me this 18<sup>th</sup> day of August, 2006, by

Bill Grajeda

Terry Whatley  
Notary Public

My commission expires:

9-30-07



FEDERAL COURT SYSTEMS  
 SOUTHERN DISTRICT OF OHIO  
 CASE INQUIRY REPORT

PAGE: 1

Case No: 1:02-cr-012-01

Title: USA VS HAMLETT, KEVIN

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Filed 09/17/2006

Defendant # 1 HAMLETT, KEVIN

DEFENDANT #	ORDERED AMOUNT	AMOUNT PAID	BALANCE DUE	ACCOUNT	PAYOUT TYPE
1 HAMLETT, KEVIN	10.00	100.00	0.00	504100	SPECIAL ASSESSMENT
	4,00.00	4,000.00	0.00	504100	FINE
	4,100.00	4,100.00	0.00		

TRANSACTION	RECEIPT/ VOUCHER NUMBER	RECEIPT/ VOUCHER DATE	INCREASE/ (DECREASE) CASE BAL	TYPE OF ACTION	ACCOUNT NUMBER	DEFENDANT PAYEE/BANK NUMBER	U.S. TREASURY	COMMERCIAL BANKS	OTHER
RECEIVED	60200738101	10/15/03	25.00	CK	504100	1			25.00
RECEIVED	60200795301	01/12/04	40.00	CK	504100	1			40.00
RECEIVED	60200854301	04/12/04	25.00	CK	504100	1			25.00
RECEIVED	60200913901	07/15/04	10.00	CK	504100	1			10.00
RECEIVED	60200913801	07/15/04	15.00	CK	504100	1			15.00
RECEIVED	10042597701	03/07/05	200.00	MO	504100	1			200.00
RECEIVED	10042620901	03/28/05	250.00	MO	504100	1			250.00
RECEIVED	10042770901	08/02/05	150.00	MO	504100	1			150.00
RECEIVED	10043156501	08/24/06	3,385.00	CK	504100	1			3,385.00

\*\*\*\*\* CASE SUMMARY \*\*\*\*\*

TOTAL CASE BALANCE:

4,100.00

BALANCE IN U.S. TREASURY:

0.00

CASE DEPOSITORY MAINT. BALANCE :

0.00

BALANCE IN COMMERCIAL BANKS:

0.00

CASE DEPOSITORY MAINT. BALANCE :

0.00

DEPOSITS TO RECEIPT ACCOUNTS:

4,100.00

TYPE OF TRANSACTION:

Case No: 1:02-cr-012-SJD

EXHIBIT

B

AD: ADJUSTMENT-38800  
BD: DIRECT BANK DEPOSIT  
CK: CHECK  
CV: CASE VOUCHER  
I : INTEREST

AJ: ADJUSTMENT  
BT: BANK TRANSFER  
CL: COLLATERAL  
DW: DIRECT WITHDRAWL  
MO: MONEY ORDER

BV: BANK VOUCHER  
CC: CREDIT CARD  
CN: CONVERSION  
DV: DEBIT VOUCHER  
TR: TRANSFER

CH: CASH  
CR: CASE REFUND  
FF: FORFEITURE  
VD: VOID